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Hon. Joseph J. Farnan, Jr., Judge
U.S. District Court for the District of Delaware
844 North King Street, Room 4209
Lock Box 18
Wilmington, DE 19801

**RE: Fitgibbon et al. v. ING Bank, fsb et al.
C.A. No. 07-735**

Dear Judge Farnan:

Pursuant to Your Honor's Order of December 13, 2007, counsel has conferred regarding the Proposed Pretrial Scheduling Order. We have worked toward compiling a single document and have agreeing on most issues. Nevertheless, there is one area pertaining to electronic discovery that we have been unable to resolve.

Consequently, Defendants will file a Proposed Order and Plaintiffs will file their own Proposed Pretrial Scheduling Order. The two versions are identical with the exception of ¶ 3(g) contained in Plaintiffs' Proposed Order. This Paragraph does not appear in Defendants' version.

Counsel is available at Your Honor's convenience should you like to meet to resolve this issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Timothy J. Wilson', is written over the typed name.

TIMOTHY J. WILSON

TJW/njj

cc: David Woolf, Esq.